

be made by posting as provided in section 110(e).

[33 FR 19700, Dec. 25, 1968. Redesignated and amended at 35 FR 5118, Mar. 26, 1970; 36 FR 1147, Jan. 23, 1971; 48 FR 44081, Sept. 27, 1983]

## PART 552—PETITIONS FOR RULE- MAKING, DEFECT, AND NON- COMPLIANCE ORDERS

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AUTHORITY: 49 U.S.C. 30111, 30118, 30162; delegation of authority at 49 CFR 1.50.

SOURCE: 40 FR 42014, Sept. 10, 1975, unless otherwise noted.

### § 552.1 Scope.

This part establishes procedures for the submission and disposition of petitions filed by interested persons pursuant to 49 U.S.C. Chapters 301, 305, 321, 323, 325, 327, 329 and 331 to initiate rule-making or to make a decision that a motor vehicle or item of replacement equipment does not comply with an applicable Federal motor vehicle safety standard or contains a defect which relates to motor vehicle safety.

60 FR 17267, Apr. 5, 1995]

### § 552.2 Purpose.

The purpose of this part is to enable the National Highway Traffic Safety Administration to identify and respond on a timely basis to petitions for rule-making or defect or noncompliance decisions, and to inform the public of the procedures following in response to such petitions.

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### § 552.3 General.

Any interested person may file with the Administrator a petition requesting him:

(a) to commence a proceeding respecting the issuance, amendment or

revocation of a motor vehicle safety standard, or

(b) to commence a proceeding to decide whether to issue an order concerning the notification and remedy of a failure of a motor vehicle or item of replacement equipment to comply with an applicable motor vehicle safety standard or a defect in such vehicle or equipment that relates to motor vehicle safety.

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### § 552.4 Requirements for petition.

A petition filed under this part should be addressed and submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590. Each petition filed under this part must:

(a) Be written in the English language;

(b) Have, preceding its text, a heading that includes the word "Petition";

(c) Set forth facts which it is claimed establish that an order is necessary;

(d) Set forth a brief description of the substance of the order which it is claimed should be issued; and

(e) Contain the name and address of the petitioner.

### § 552.5 Improperly filed petitions.

(a) A petition that is not addressed as specified in § 552.4, but that meets the other requirements of that section, will be treated as a properly filed petition, received as of the time it is discovered and identified.

(b) A document that fails to conform to one or more of the requirements of § 552.4(a) through (e) will not be treated as a petition under this part. Such a document will be treated according to the existing correspondence or other appropriate procedures of the NHTSA, and any suggestions contained in it will be considered at the discretion of the Administrator or his delegate.

### § 552.6 Technical review.

The appropriate Associate Administrator conducts a technical review of the petition. The technical review may consist of an analysis of the material submitted, together with information already in the possession of the agency.